

<b>UNITED STATES BANKRUPTCY COURT</b> Middle District of Pennsylvania		<b>INVOLUNTARY PETITION</b>					
IN RE (Name of Debtor – If Individual: Last, First, Middle)  <b>Kimmel's Coal and Packaging, Inc.</b>		ALL OTHER NAMES used by debtor in the last 8 years (Include married, maiden, and trade names.)					
Last four digits of Social-Security or other Individual's Tax-I.D. No./Complete EIN (If more than one, state all.):							
STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code)  <b>Machamet Ave., PO Box 1 Wiconisco, PA</b>  COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS <b>Dauphin</b>  <div style="text-align: right;">ZIP CODE <b>17098</b></div>		MAILING ADDRESS OF DEBTOR (If different from street address)      <div style="text-align: right;">ZIP CODE</div>					
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from previously listed addresses) <b>Anthracite Coal processing, packaging and sales.</b>							
CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED  <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11							
<b>INFORMATION REGARDING DEBTOR (Check applicable boxes)</b>							
<b>Nature of Debts</b> (Check one box.)  Petitioners believe:  <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts	<table style="width: 100%; border: none;"> <tr> <th style="text-align: center; border: none;">Type of Debtor (Form of Organization)</th> <th style="text-align: center; border: none;">Nature of Business (Check one box.)</th> </tr> <tr> <td style="border: none; vertical-align: top;"> <input type="checkbox"/> Individual (Includes Joint Debtor)  <input checked="" type="checkbox"/> Corporation (Includes LLC and LLP)  <input type="checkbox"/> Partnership  <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)           </td> <td style="border: none; vertical-align: top;"> <input type="checkbox"/> Health Care Business  <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B)  <input type="checkbox"/> Railroad  <input type="checkbox"/> Stockbroker  <input type="checkbox"/> Commodity Broker  <input type="checkbox"/> Clearing Bank  <input checked="" type="checkbox"/> Other  <b>Anthracite Coal processing</b> </td> </tr> </table>			Type of Debtor (Form of Organization)	Nature of Business (Check one box.)	<input type="checkbox"/> Individual (Includes Joint Debtor) <input checked="" type="checkbox"/> Corporation (Includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51)(B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <b>Anthracite Coal processing</b>
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<b>VENUE</b>  <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  <input type="checkbox"/> A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District.	<b>FILING FEE (Check one box)</b>  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Petitioner is a child support creditor or its representative, and the form specified in § 304(g) of the Bankruptcy Reform Act of 1994 is attached. <i>[If a child support creditor or its representative is a petitioner, and if the petitioner files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.]</i>						
<b>PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.)</b>							
Name of Debtor	Case Number	Date					
Relationship	District	Judge					
<b>ALLEGATIONS</b> (Check applicable boxes)  1. <input type="checkbox"/> Petitioner (s) are eligible to file this petition pursuant to 11 U.S.C. § 303 (b). 2. <input type="checkbox"/> The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code. 3.a. <input checked="" type="checkbox"/> The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute as to liability or amount; <div style="text-align: center;">or</div> b. <input type="checkbox"/> Within 120 days preceding the filing of this petition, a custodian, other than a trustee receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.		COURT USE ONLY					

Name of Debtor Kimmel's Coal and Pac

Case No. \_\_\_\_\_

**TRANSFER OF CLAIM**

☐ Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a).

**REQUEST FOR RELIEF**

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

x Calvin Lenig  
Signature of Petitioner or Representative (State title)  
Calvin Lenig Coal Prep and Sales, Inc. 04/18/2018  
Name of Petitioner Date Signed

Name & Mailing 5860 State Route 225  
Address of Individual Shamokin, PA 17872  
Signing in Representative Capacity \_\_\_\_\_

x Jeff Kurtzman 4/19/18  
Signature of Attorney Date  
Jeff Kurtzman, Esquire

Name of Attorney Firm (If any)  
401 South 2nd Street, Suite 200, Phila., PA 19147  
Address  
(215) 839-1222  
Telephone No.

x Lenig and Kosmer Coal Company  
Signature of Petitioner or Representative (State title)  
Lenig and Kosmer Coal Company 04/18/2018  
Name of Petitioner Date Signed

Name & Mailing 2993 Lower Road  
Address of Individual Shamokin, Pa. 17872  
Signing in Representative Capacity \_\_\_\_\_

x Jeff Kurtzman 4/19/18  
Signature of Attorney Date  
Jeff Kurtzman, Esquire

Name of Attorney Firm (If any)  
401 South 2nd Street, Suite 200, Phila., PA 19147  
Address  
(215) 839-1222  
Telephone No.

x Hardway Coal Company  
Signature of Petitioner or Representative (State title)  
Hardway Coal Company 04/18/2018  
Name of Petitioner Date Signed

Name & Mailing 44 Keystoker Lane  
Address of Individual Schuylkill Haven, PA  
Signing in Representative 17972  
Capacity \_\_\_\_\_

x Jeff Kurtzman 4/19/18  
Signature of Attorney Date  
Jeff Kurtzman, Esquire

Name of Attorney Firm (If any)  
401 South 2nd Street, Suite 200, Phila., PA 19147  
Address  
(215) 839-1222  
Telephone No.

**PETITIONING CREDITORS**

Name and Address of Petitioner	Nature of Claim	Amount of Claim
Calvin Lenig Coal Prep. and Sales, Inc.	Trade Claim	804,441.80
Name and Address of Petitioner	Nature of Claim	Amount of Claim
Lenig and Kosmer Coal Company	Trade Claim	461,416.10
Name and Address of Petitioner	Nature of Claim	Amount of Claim
Hardway Coal Company	Trade Claim	30,750.80
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.	Total Amount of Petitioners' Claims	1,397,885.04

1 continuation sheets attached

Name of Debtor Kimmels Coal & Pac

Case No. \_\_\_\_\_

**TRANSFER OF CLAIM**

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**REQUEST FOR RELIEF**

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Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

x Elizabeth Zapragny  
Signature of Petitioner or Representative (State title)  
EOJ, Inc. 04/18/2018

Name of Petitioner \_\_\_\_\_ Date Signed \_\_\_\_\_  
Name & Mailing \_\_\_\_\_  
Address of Individual \_\_\_\_\_  
Signing in Representative \_\_\_\_\_  
Capacity \_\_\_\_\_

x Jeff Kurtzman 4/19/18  
Signature of Attorney \_\_\_\_\_ Date \_\_\_\_\_  
Jeff Kurtzman, Esquire

Name of Attorney Firm (If any) \_\_\_\_\_  
401 South 2nd Street, Suite 200, Phila, PA 1914  
Address \_\_\_\_\_  
215839-1222  
Telephone No. \_\_\_\_\_

x \_\_\_\_\_  
Signature of Petitioner or Representative (State title)

Name of Petitioner \_\_\_\_\_ Date Signed \_\_\_\_\_  
Name & Mailing \_\_\_\_\_  
Address of Individual \_\_\_\_\_  
Signing in Representative \_\_\_\_\_  
Capacity \_\_\_\_\_

x \_\_\_\_\_  
Signature of Attorney \_\_\_\_\_ Date \_\_\_\_\_

Name of Attorney Firm (If any) \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_

x \_\_\_\_\_  
Signature of Petitioner or Representative (State title)

Name of Petitioner \_\_\_\_\_ Date Signed \_\_\_\_\_  
Name & Mailing \_\_\_\_\_  
Address of Individual \_\_\_\_\_  
Signing in Representative \_\_\_\_\_  
Capacity \_\_\_\_\_

x \_\_\_\_\_  
Signature of Attorney \_\_\_\_\_ Date \_\_\_\_\_

Name of Attorney Firm (If any) \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_

**PETITIONING CREDITORS**

Name and Address of Petitioner	Nature of Claim	Amount of Claim
EOJ, Inc. 2410 Summer Valley Road, New Ringgold, PA	Trade Claim	101,277.14
Name and Address of Petitioner	Nature of Claim	Amount of Claim
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Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.		Total Amount of Petitioners' Claims

\_\_\_\_\_ continuation sheets attached